

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(1) JOSETTE EVANS,

Plaintiff,

vs.

(1) STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY,

Defendant.

Case No. 13-CV-464-JED-TLW

NOTICE OF REMOVAL

The Petitioner, State Farm Mutual Automobile Insurance Company ("State Farm"), Defendant in the above-captioned case, states the following:

1. The above-entitled cause was commenced in the District Court of Tulsa County, entitled Josette Evans v. State Farm Mutual Automobile Insurance Company, Case No. CJ-2012-6441. State Farm was served Summons and Petition on July 8, 2013. A copy of Plaintiff's Petition setting forth her claims for relief upon which the action is based is attached hereto and marked Exhibit 1. A copy of the Summons served upon State Farm is attached hereto and marked Exhibit 2.

2. State Farm's principal place of business is in the State of Illinois, and it is incorporated in the State of Illinois. Plaintiff is a citizen and resident of the State of Oklahoma. (*See* Plaintiff's Petition, p. 1, ¶ 1, Exhibit 1). Plaintiff's cause of action is for alleged breach of breach of an insurance contract and alleged breach of the duty of good faith and fair dealing. The matter in controversy between Plaintiff and Defendant, according to Plaintiff's demand, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), exclusive of interests and costs. (*See* Plaintiff's Petition, p. 2, Exhibit 1).

3. This Court has original jurisdiction over this case pursuant to 28 U.S.C. § 1332 (1992), by reason of the fact that this is a civil action wherein the amount in controversy, according to Plaintiff's demands, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00),

exclusive of interest and costs and is between citizens of different states. Accordingly, this action may be removed by State Farm pursuant to 28 U.S.C. § 1441(a).

4. This Notice of Removal is filed in this Court within thirty (30) days after July 8, 2013, the date State Farm was served with a copy of Plaintiff's Petition, which was the initial pleading setting forth the claim for relief upon which this action is based. (*See* Summons and Petition, Exhibits 1 and 2).

5. Copies of all process and pleadings have been attached hereto as Exhibits 1-3. Pursuant to LCvR 81.2 a copy of the state court docket sheet is attached as Exhibit 4.

WHEREFORE, Defendant, State Farm, prays that this action be removed.

Dated this 26th day of July, 2013.

Respectfully submitted,

**ATKINSON, HASKINS, NELLIS,
BRITTINGHAM, GLADD & FIASCO**
A PROFESSIONAL CORPORATION

/s/ John S. Gladd
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Certificate of Service

I hereby certify that on July 26, 2013, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Mr. Robert L. Briggs
Attorney at Law
P.O. Box 701915
Tulsa, Oklahoma 74170-1915

/s/ John S. Gladd
John S. Gladd